



EXPRESS MAIL NO. EL976386495US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Max Cynader et al.  
Application No. : 09/301,507  
Filed : April 28, 1999  
For : GENE SEQUENCES ASSOCIATED WITH NEURAL PLASTICITY  
AND METHODS RELATED THERETO

Examiner : James Martinell  
Art Unit : 1631  
Docket No. : 59810-3  
Date : December 23, 2003

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT

Commissioner for Patents:

The Patent Office issued an Office Action on June 4, 2002 and applicants timely filed a reply on October 4, 2002 with a petition for a one month extension of time and fee. The Examiner apparently issued an Advisory Action but it was mailed to applicants' representative's previous law firm. Applicants' representative was unaware of the Advisory Action and learned about it during a telephone call to Examiner James Martinell to inquire about the status.

Examiner Martinell forwarded a copy of the Advisory Action to applicants' representative on July 10, 2003, and applicants were informed of the current status.

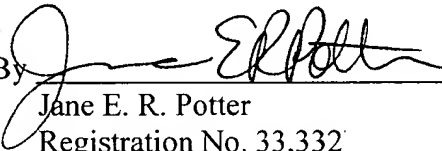
Since July 10, 2003, applicants have investigated and developed arguments and support for substantively responding to the Advisory Action.

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DEC 30 2003  
OFFICE OF PETITIONS

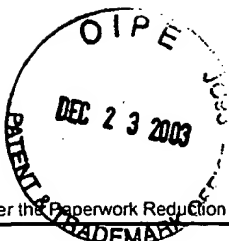
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NOV 18 2003  
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Accompanying the Petition is a Request for Continued Examination, a Preliminary Amendment, and a Declaration by inventor Max Cynader as a substantive response to the Advisory Action.

Respectfully submitted,  
Max Cynader et al.  
DAVIS WRIGHT TREMAINE LLP

By   
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PTO/SB/17 (10-03)  
Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 1050

Complete if Known

Application Number	09/301,507	<b>RECEIVED</b> <b>DEC 30 2003</b>
Filing Date	April 28, 1999	
First Named Inventor	Max Cynader	
Examiner Name	James Martinell	
Art Unit	1631	<b>OFFICE OF PETITIONS</b>
Attorney Docket No.	59810-3	

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ None☒ Deposit Account:Deposit  
Account  
Number

04-0258

Deposit  
Account  
Name

Davis Wright Tremaine LLP

The Commissioner is authorized to: (check all that apply)

- ☒ Charge fee(s) indicated below ☒ Credit any overpayments
- ☐ Charge any additional fee(s) during the pendency of this application
- ☐ Charge fee(s) indicated below, except for the filing fee
- ☒ Charge any deficiencies

to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee(\$)	Fee Code	Fee(\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 0)

**2. EXTRA CLAIM FEES**

			Extra Claims	Fee from below	Fee Paid
Total Claims		- 20** =		x	
Independent Claims		- 3** =		x	
Multiple Dependent					

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	665
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	385
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 1050)

**SUBMITTED BY**

(Complete if applicable)

Name (Print Type)	Jane E. R. Potter	Registration No. (Attorney/Agent)	33,332	Telephone	206-628-7650
Signature		Date	December 23, 2003		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14.